

C A M P A I G N F O R

ACCOUNTABILITY

April 25, 2018

Mary Elizabeth M. Robertson
Public Records Custodian
Human Services Department
P.O. Box 2348
Santa Fe, NM 87504

By Email: Mary.Robertson@state.nm.us

Re: Inspection of Public Records Act Request

Dear Ms. Robertson:

Campaign for Accountability (“CfA”) makes this request for records, regardless of format, medium, or physical characteristics, and including electronic records and information, audiotapes, videotapes and photographs, format, medium or physical characteristics, pursuant to the New Mexico Inspection of Public Records Act. NMSA §§ 14-2-1 *et seq.*

Specifically, CfA requests from the Human Services Department (the “Department”) copies of all solicitations, agreements, invoices, or other contractual documents pertaining to any agreement between the Department and the organization known as CareNet Pregnancy Center of Albuquerque (“CareNet”), or any materials related to any payment made from the Department to CareNet. If the Department has no materials responsive to this request, CfA requests a narrative explanation for a line item showing a \$282,224 payment made to “CareNet Pregnancy” during fiscal year 2016 that appears on a New Mexico Works (“NMW”) fact sheet available on the Department’s website¹ (the “NMW Sheet,” which is dated January 2017). This request is for records from January 1, 2013 to the present.

By way of background, the Department distributes federal Department of Health and Human Services block grant Temporary Assistance for Needy Families (“TANF”) funds through NMW. The Department uses some of the TANF funds to support needy families in New Mexico with direct cash payments (subject to eligibility requirements), while allocating other TANF funds to organizations within the state that support the stated goals of the TANF program.² The NMW Sheet includes a line item for a \$282,224 payment made to a “CareNet Pregnancy” during fiscal year 2016 as part of the Department’s TANF spending under NMW.³

Where possible, please produce records electronically or on a USB drive. CfA seeks records of any kind, including electronic records, audiotapes, videotapes, and photographs. This

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http://www.hsd.state.nm.us/uploads/FileLinks/f13cd6ab72d244089c5bf80111f07524/Temporary_Assistance_to_Needy_Families_TANF_Fact_Sheet_2017.pdf.

² *Id.*; see also NMSA § 27-2B-2.

³ *Id.*

request includes any letters, emails, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. This request also includes any attachments to these records.

If it is your position that any portion of the requested records is exempt from disclosure, please state the basis of the exemption. NMSA § 14-2-11. Please explain in writing and with particularity the reasons for any determination that a record is exempt from disclosure. Please also provide the name and title or position of each person responsible for the denial. NMSA § 14-2-11(B). In the event a portion of a requested record is properly exempt from disclosure, please redact that portion and produce the remainder of the requested record. If you deny this request in whole or in part, please specify each exemption on which you are relying to withhold information.

CfA is a non-profit organization and seeks the requested information to inform and educate the public about the propriety of the Department's usage and distribution of TANF block grants. Accordingly, because CfA seeks the information to benefit the general public, we request that the information be provided without charge. NMSA § 14-2-9(§C). If a fee waiver is not available, please inform me if the cost will exceed \$200.

Please produce the requested information as soon as is practicable, but not later than fifteen days after receiving this request. NMSA § 14-2-8(D). If the records will not be made available within three days, please explain in writing when they will be made available. *Id.* If you determine that a request is excessively burdensome or broad and additional time is necessary to comply with this request, please notify me within fifteen days. NMSA § 14-2-10.

If possible, please email the records to me at dstevens@campaignforaccountability.org. If the records are mailed, please send them to: Campaign for Accountability, 611 Pennsylvania Avenue SE, #337, Washington, DC 20003. If you are unable to meet this statutory mandate, foresee any problems in releasing the requested records in whole or in part, or have any questions about this request, please contact me. I welcome any discussion related to how the scope of this request could be modified to help the Department more efficiently fulfill it. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan E. Stevens".

Daniel E. Stevens
Executive Director